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University of Montana--Missoula. Office of University Relations, "Montana Judicial Conference on revised code of criminal procedure" (1965). *University of Montana News Releases, 1928, 1956-present*. 1722.
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stewart
11-29-65

FOR IMMEDIATE RELEASE

Montana judges and justices at the Montana Judicial Conference in Helena December 2 and 3 will be asked their opinions of the proposed revised code of criminal procedure, according to Dr. Larry M. Elison, associate professor of law at the University of Montana.

Dr. Elison will present the proposed code to the conference delegates. The code is the result of the labors of the Montana Criminal Law Commission, of which the Law School professor is a member.

Other commission members include State Supreme Court Justice Wesley Castles of Helena, District Judge Thomas L. Dignan of Glasgow, Donald A. Garrity of Helena, District Judge Robert J. Nelson of Great Falls, District Judge W. W. Lessley of Bozeman, Russell K. Fillner of Forsyth, William F. Crowley of Helena, M. Dean Jellison of Kalispell, Charles F. Moses of Billings, John M. McCarvel of Great Falls and Professor Edwin W. Briggs of Missoula.

Dr. Elison said that of the current 28 chapters in the proposed code, six have not been seen by the commission and six have been conferred on without a conclusion being reached. The remaining 16 chapters have been approved by the commission.

The commission's work is to clear up the wording of the criminal code and to cut it down to concise and understandable language, in order to conform to current standards across the nation.

According to the proposed code, a criminal code of procedure is necessary "to provide for the just determination of every criminal proceeding. (The codes) shall be construed to secure simplicity in procedure, fairness in administration and elimination of unjustifiable expense and delay."

(more)

The provisions of the proposed code are intended to "govern the procedure in the Courts of Montana in all criminal proceedings...."

After sounding out the judges and justices next month, the commission will meet to finish its work on the procedural aspects. After the first of the year Dr. Elison said the commission would go to work on revising the substantive criminal law, i.e. the definition of crimes.

The commission hopes to have its work completed in time to present the whole improved criminal code to the legislature in 1967. It began its work in 1963 after the legislature of that year authorized the study and the Supreme Court appointed the members of the commission, Dr. Elison said.

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